Bob, Gary
cc Uncle Belcher. Carl W.

Frank

March 30, 1969

Mr. Will Wilson, Asst Atty
General, Criminal Division
Department of Justice
Washington, D.C. (Attn Mr. Carl W. Belcher)

Dear Sir,

It is not from my letters to the Department of Justice, to which, to date, there has never been meaningful response, that you can say "it is plain that further exchange of correspondence...will serve no useful purpose". This is your policy determination. It is consistent with the refusal of your agency to make meaningful response. If you will read the last two letters to which yours of March 28 is supposedly addressed, you will find this is true. I deeply regret this, for it is this official blindness, this continuing mortgaging to the error of the past, that will hound you people personally and be an unending and unnecessary problem and annoyance to the administration of which you are part.

I begin with the assumption of honesty on your part. I therefore say you cannot possibly have read my books of that rather extensive (and I believe wrong and immoral) federal espionage on my public appearances and say, as you do in your second paragraph, that nothing will make me "certain that the element of politics played no role in the investigation of the assassination of President Kennedy or the formulation of the guidelines for the release" of the Files. You may have read FBI paraphrases. From my own by now large study of thousands of these, I can conceive they could lead you to this misapprehension. It is the professional incompetence of these reports that is a major cause of the existing problem and situation. I am prepared to prove this at your convenience. If there is anything I say that you do not believe, I invite your challenge and with each instance make the same offer of proof at your convenience. I hope this is an offer you accept.

It is not with the formulation of the guidelines that I quarrel but with their interpretation and application. For example, any time you want I will make a case for you that much too much that should not have been released has been, with the result that people were needlessly damaged. All of this of which I have knowledge is consistent, falls into a single pattern. I know of no case where the damaged person was not either "liberal" or not attractive to the FBI agents. On the other hand, what cannot properly be suppressed has been. I can and on your request will put in your hand samples, for in some cases, as careful reading of the letters would have told you, I have not been the correspondent. Yet, you have not responded to my request for the spectrographic analysis of the bullet and fragments of bullet said to have been used in the assassination, nor have you told me why this has been denied me. I have asked for this with some regularity for close to three years. The only response had been an FBI falsehood. You know, and I recently alluded to it, that Mr. Vinson told me a review was underway and I would soon hear about one request. Not about this, too, when I made inquiry, you were silent. Many more examples are available if you want them, but I think you should by now understand that in addressing yourself to the "formu-

lation of the guidlines" you at best seek to evade my complaint.

In the sense in which you use the word, there is no warrant for saying I believe "politics" played a "role in the investigation of the assassination". I do not now and never did believe this was a Republican or a Democrat matter, nor can I recall ever having said anything that could be tortured into suggesting this. However, in the selection and appointment of the members of the Commission, there was a political genius. I have worked for several branches of the government and lived close to it for 35 years. I recall no single instance in which any administration ever appointed a majority of five of seven members of any body from the minority party. One of the things this achieved is obvious: the present Republican administration is that of the overwhelming majority of the members of the Warren Commission. You thereby are saddled with the responsibility of the preceding administration, of the other political party. Anyone in authority today who might consider looking into possible error by the Warren Commission is immediately confronted with the consideration that acknowledging such error will be to assume political responsibility for it. While I do not expect you to pay attention to me or to give serious, mature thought to what I tell you, I nonetheless tell you that for a short while you do have a period of grace in which this will not be true, through the unintended kindness of former Attorney General Clark. Thereafter you, by your silence, by your refusal to do what impartial reading of what you now have requires of you, you assume responsibility for what he has done. His transgressions will become yours. To the degree I can, I will see to this, for it is my obligation as a citizen.

Each one of you in authority is the captive of him upon whom you depend for knowledge and advice. Each of you, as you undoubtedly believe you may properly, takes on faith what is given him, what he is told. If I acknowledge there is too much I do not know, I also insist I know of no case in which anyone in authority ever sought competent, outside knowledge and advice. I cannot conceive of this having happened without my knowledge, for there are very few indeed, from whom such counsel could be sought. Whether you believe me or not, it cannot be done without my knowledge. Not honestly. But what happens if you are, for whatever purpose, with whatever motive or lack of motive, misinformed? Do you expect those who may have been responsible for the error of the past to loudly proclaim that today? And on such a subject?

You see, I have never believed there was the monster conspiracy my opposition alleges inside the government. I have always thought and still think much if not most of this can be explained by the normal workings of bureaucracy, and I have often said this, whether or not it is in the material available to you. However, the more time passes, the less credible this will become. In the future, these errors will not be susceptible of such explanation. (And if you perchance think I am paranoid in saying there has been federal espionage on me, I will put copies of it in your hand.)

I directly challenge your totally erroneous statement, "the substantial correctness of the Commission's Report remains unimpeached by any recent developments". This challenge is so direct I do not even suggest you will have to make "further investigation" that "would serve to eliminate the doubts" I have. And I dare you to accept my challenge. I will restrict myself to one narrow point, all the evidence on which is in your possession. Now, if the government would like to prove or to satisfy itself that I am some kind of

word nut or that my research is incomplete or undependable or merely that I am wrong, here is your chance. In advance I warn you that in selecting this single point I have selected one on which I will confront you with what I regard as a case of perjury and its subornation.

From the experiences I have had, I am not encouraged to trust the government. Yet I do, very much, want a dialogue on this subject. I do realize that everyone is not dishonest, that most of you who sit in judgement on the fact think you know, think you have been honestly informed. I also realize that not a single one of you has or could have taken the time I have devoted to this. And I happen to believe that to consider the government could have made so enormous an error requires an inordinate amount of courage of anyone in authority, perhaps the risk of his career and future. It is for this reason that I say I have selected a single point I regard as pivotal. There are many, all central. If you accept my challenge and are not persuaded, but if I am convinced you are sincere, I will thereafter take others, one by one, until you are satified or I am that you have no intention of being satisfied.

I agree with your statement that for FBI agents to slander me would be a violation of Department policy. I can only tell you that it has been reported to me. I do not expect you could ever be satisfied on this point, for you would have to accept the denials of the agents that they did. I was aware of this when I wrote. Even though I knew there could never be a certain determination (and I have pursued it no farther), I felt obliged to inform you, precisely because it is the kind of thing no responsible government would want to happen. If agents did this, I would also presume it was not on the instructions of the Director and I would not expect them to confess it to him.

With much of what you say of the confession of perjury by Dean Andrews I agree. You do not say enough, however. I am in hearty agreement that there should be no federal intrusion into State proceedings. I wish I could say this had been the policy of your Department in the recent past. Dean Andrews is a friend of mine. I am genuinely sorry for the plight in which he finds himself. We have had a number of long conversations over the past several years. It is my belief that the greatest harm of his confessed perjury was to the federal proceeding. I do not by any means suggest that what he confessed in New Orleans is the total inadequacy of his federal testimony. It was quite important in the deliberations and conclusions of the Commission. Nor do I suggest that it was spontaneous. I am in possession of proof that it was not. This may or may not have occurred to you, may or may not figure in your own deliberations. For what it may be worth, I report it to you. It may well complicate things for you. I do suggest that if the Department of Justice does nothing about it the matter may not drop there. And I also suggest that in the total picture, this and other inadequacies of the New Orleans investigations may ultimately be more of an embarrassment to the government that now may appear likely or than the numerous lawyers you had observing the trial may have been able to detect or report to you. They, regardless of competence, are limited by what was presented in court and by the state of their own knowledge. Newspaper accounts of my presence at the trial are in error. I left New Orleans during the jury selection and have not returned. My own knowledge of the proceedings is limited to what appeared in the papers and what was reported to me by friends in the press. But my knowledge of fact is not by any means limited to what was presented in court.

You could not be more right than you are in saying that I intend to pursue this. What I have already done has been financially ruinous and that has not deterred me. If you have followed my published work carefully, you have but little indication of what I have now learned, believe I have established. And you are correct in saying that the "release of additional materials in the files" will be helpful to my work. That you do not appear to understand is that this does not have the significance you imply, for there can be no material in the files that can in any way destroy what I have already established. Until this is understood by the government, it will not understand the stake each and every employee of whatever rank has in this, nor can these employees understand what this can mean to the present administration and the President, in the immediate future or in the historical record.

I take you at face value when you say "we will welcome receipt of my views and " we seek, as you do to serve the best interests of the nation on this grave subject." I have given you indication of my good faith and I give you the opportunity of showing me yours. I ask for direct answer to the questions I have raised and for those documents I have sought that, I believe, cannot properly be denied me. In addition to that reflected in my letters to your Department, one in particular of those many denied me by the government I call to your attention. In the panel report alleged to be on the autopsy there is reference to an April 1968 memorandum of transfer. I requested this in January, with the additional request that if it were not given me an explanation be given in writing. I was then and have on a number of subsequent occasions assured this would be forthcoming. It has not happened. I believe this is entirely indefensible. While there may be factors of which I know nothing that might properly deny me this document, I can conceive of no good reason for the delay in response, for I have written many times, or for what now amounts to the refusal to tell me why it is denied me. And I tell you in candor that I have every reason to believe I know what this memorandum is and says. Also, I would like to have xerox copies of or be able to borrow several transcripts of testimony, that of the afternoon proceeding in Judge Halleck's court in Washington, the day testimony was presented by the plaintiff (with copies of the affidavits offered by the government and of its subsequent motions), and that of FBI Agents Shaneyfelt and Frazier and Colonel Finck in New Orleans.

If we can establish a basis of mutual trust, there is great potential for much good. For my part I ask but two things: complete respect for any confidences (for I have what for me is an enormous investment in my work) and that, whether or not I am believed, I be listened to with an open mind. I do hope we can achieve this.

Sincerely,

Harold Weisberg